nature, the Applicant requests that the requirement for formal drawings be held in abeyance until issuance of a Notice of Allowance, at which time, the Applicant will submit formal drawings overcoming the objections.

Presently, claims 1 through 20 are pending in the application. Claims 1 and 11 have been amended in response to the Examiner's rejections in order to clarify that "restricted access" as recited in the Applicant's claims refers more specifically to restricted access "to selected functionality" in the document authoring, developing and distributing system. Support for the Applicant's amendments can be found in page 8, lines 20 through 27 in which it is stated, "[T]he method can restrict the potential customer's access to saving and downloading features of the system." Accordingly, by virtue of the Applicant's amendment, no new matter has been added.

Prior to addressing the Examiner's rejections on the art, a brief review of the Applicant's invention would be appropriate. The Applicant has invented a method for moderating external access to an electronic document authoring, development, and distribution system. Specifically, in the method of the Applicant's invention, a user requesting external access to the system can be identified. In particular, in the context of the Internet, the user can attempt to access the system over the World Wide Web.

In any event, if the user is a potential customer of the document authoring, development and distribution system, the potential customer's access to selected functions of the system, such as "save" or "download", can be restricted. In consequence, the potential customer can sample in a limited fashion the use of the

document authoring, development and distribution system without first paying an access fee. Once the potential customer has paid the required fee, the functional restrictions can be lifted and the customer can enjoy unfettered access to the system.

Notably, not only can the method of the invention moderate a potential customer's access to the document authoring, development and distribution system, but also the method of the invention can moderate a third party author's access to the system. Specifically, where the third party author has created a Web asset, such as a graphical work, audio-visual content, or a textual contribution, the third party author can upload the Web asset to the system for use by customers as the customers create Web pages when using the document authoring, development and distribution system. Subsequently, each time a customer incorporates a Web asset in a Web page which had been provided by the third party author, the method can compensate the third party author by crediting the credit card of the third party author.

Turning now to the rejections on the art, in paragraph 1 of the Office Action, the Examiner has rejected each of claims 1, 3, 11 and 13 under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 5,933,498 to Schneck et al. (Schneck). Schneck relates to a method for controlling access to, and use and distribution of protected portions of data. Specifically, Schneck addresses the difficult problem of the impermissible copying of digital data. In that regard, the Schneck method particularly addresses the reproduction of "electronic information" including the copying and

distributing of large volumes of digital information over long distances as stated in column 3, lines 1 through 9 of the Schneck specification.

The Applicant's amended independent claims 1 and 11 recite three fundamental limitations. First, a third party requesting access to the document authoring, development and distribution can be identified. Second, once identified, the third party can be permitted only restricted access to selected functions of the system. Finally, all of the access restrictions to the selected functions which had been applied can be eliminated when the third party registers with the document authoring, development and distribution system.

Significantly, Schneck wholly lacks any teaching directed to the disabling of selected functions of a document authoring, development and distribution system. More importantly, Schneck does not even disclose the disabling of functionality in any computer based system. Rather, Schneck only restricts access to data as explicitly and clearly stated in the Abstract of the Schneck specification. Notably, Schneck fails to address the restriction of access to a computer based system inasmuch as Schneck addresses the problem of copying "intellectual property" and not the sampling of a system by a potential customer as in the case of the Applicant's invention. Accordingly, it cannot be said that Schneck anticipates the Applicant's invention as claimed in either claim 1, 3, 11 or 13.

In paragraph 2 of the Office Action, claims 2, 4 through 5, 12 and 14 through 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneck in

view of U.S. Patent No. 5,432,934 to Levin et al. (Levin). Levin relates to the

configuration of a user interface based upon access restrictions imposed upon

individual users in a multi-user environment. In particular, Levin teaches the enabling

and disabling of menu choices in the user interface. Importantly, the menu items of the

Levin system relate specifically and exclusively to menu items for manipulating objects

in the workspace of the multi-user environment. In that regard, Levin does not teach

disabling access to the underlying functionality of a computer program. Rather, Levin

only teaches disabling user interface elements, and more particular--menu and non-

menu items.

The Examiner has combined Schneck and Levin to support the proposition that

the combination teaches each limitation recited in claims 2, 4, 5, 12, 14 and 15.

Notably, claims 2, 5, 12 and 15 relate specifically to the disabling of system functions

such as saving, copying and downloading. As will be apparent from a cursory

inspection of the Levin reference, however, Levin fails to teach not only the disabling of

these specific functions, but also Levin fails to teach the disabling of any application

functions. Rather, Levin only teaches the disabling of user interface elements and not

underlying functionality.

Claims 4 and 14 relate to the accepting and submitting of payment information

during the registration of a potential customer. The combination of Levin and Schneck,

however, do not discuss the registration of potential customers. Moreover, though

submitting payment by credit card is and has been known in the art as noted by the

Examiner, submitting payment by credit card in furtherance of registering a third party

so as to eliminate access restrictions to the functionality of the system as recited in

claims 1, 4, 11, and 14 neither are known in the art nor are recited in either of Schneck

and Levin. Thus, it cannot be said that the combination of Schneck and Levin teach

every element of the amended claims 1, 4, 5, 11, 14 and 15.

In paragraph 3 of the Office Action, claims 6 through 10 and 16 through 20 have

been rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneck in view of

U.S. Patent No. 6,170,016 to Nakai et al. (Nakai). Nakai relates to a system for

selectively requesting data from a content server based upon a prior accepted request,

a monitored transmission rate, and a known transmission capacity. In particular, the

Nakai system attempts to reconcile competing foreground and background processes

when retrieving both cached and non-cached content.

Inasmuch as Nakai bears no relation to restricting access to the functionality of a

system, the Examiner has cited Nakai only to support the dependent feature recited in

the Applicant's claims 6 and 16 in which a customer can specify a URL which can be

registered on the Internet and automatically associated with a Web page created using

the system. Clearly, as neither Nakai nor Schneck make mention of registering a URL

and associating the URL with a Web page, the combination of Nakai and Schneck

cannot be said to teach the limitations recited in dependent claims 6 and 16. Moreover,

as claims 7 and 17 relate specifically to submitting the URL to a search engine, Nakai

and Schneck further do not recite the submission of URLs to search engines.
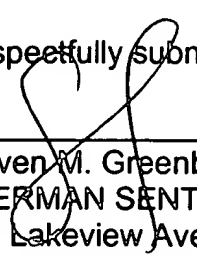
The Applicant's dependent claims 8 through 10 and 18 through 20 relate to the compensation of a third-party author who contributes Web assets to the system which are subsequently incorporated within a Web page produced by a customer of the document authoring, development and distribution system. Notably, neither Schneck, Nakai, nor any combination thereof addresses the use of Web assets in a Web page. Rather, Schneck relates strictly to the securing of data and Nakai teaches a method for retrieving a Web page using a balanced use of foreground and background processing according to monitored transmission rates and known transmission capacity. Thus, the Applicant respectfully requests that the Examiner specify with particularity where in Nakai it is explicitly stated that third party authors can be compensated for the use of contributed Web assets in a Web page as recited in the Applicant's claims.

In consequence, it is believed that each of claims 1 through 20 are allowable over the cited art. Hence, the Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §§ 102(e) and 103(a). This entire application is now believed to be in condition for allowance. Accordingly, such action is respectfully requested.

Respectfully submitted,

Date: 7·11·02

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Docket No. 6676-5

MARKED-UP AMENDED CLAIMS UNDER 37 C.F.R. § 1.121(c)(1)(ii)

1.   (Amended)   A method for moderating external access to an electronic

document authoring, development and distribution system comprising the steps of:

identifying a third party requesting access to said system;

permitting restricted access to said third party to selected functions in said

system; and,

eliminating all access restrictions to said selected functions in said system which

were imposed in said permitting step when said third party registers with said system.

11.   (Amended)   A computer apparatus programmed with a routine set of

instructions stored in a fixed medium, said apparatus comprising:

means for identifying a third party requesting access to an electronic document

authoring, development and distribution system;

means for permitting restricted access to said third party to selected functions in

said system; and,

means for eliminating all access restrictions to said selected functions in said

system which were imposed by said permitting means when said third party registers

with said system.